

## SUPPLEMENTAL DECLARATION FOR PATENT APPLICATION



I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT filing date of this application.

08/956,743

(application number)

October 24, 1997

(filing date)

pending

(status--patented, pending, abandoned)

(application number)

(filing date)

(status--patented, pending, abandoned)

I hereby appoint HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., a firm composed of Oliver W. Hayes, Reg. No. 15,867; Norman P. Soloway, Reg. No. 24,315; William O. Hennessey, Reg. No. 32,032; Susan H. Hage, Reg. N. 29,646; Steven J. Grossman, Reg. No. 35,001; and Edmund P. Pfleger, Reg. No. 41,252; or any of them, of 175 Canal Street, Manchester, New Hampshire 03101 (telephone: (603) 668-1440) my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent Office connected therewith

Please direct all future correspondence in connection with this application to the attention of **Norman P. Soloway, Esq.**, HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C., 175 Canal Street, Manchester, New Hampshire 03101 (telephone: (603) 668-1400).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor **Scott D. Redmond**

First Inventors signature

Date

July 1, 1999

Residence **601 Van Ness Avenue, San Francisco, California 94102**

Citizenship **USA**

Post Office Address **same as residence**

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of: Redmond

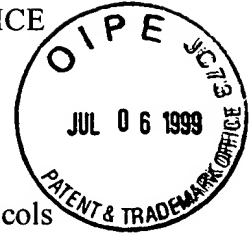
Serial No.: 0 9/295,000

Filed: April 16, 1999

For: Media File Distribution with Adaptive Transmission Protocols

Group No: 2731

Examiner



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

With respect to the invention described in

- ☐ the specification filed herewith.
- ☒ application serial no. 09/295,000, filed April 16, 1999
- ☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

**I. IDENTIFICATION OF DECLARANT AND RIGHTS AS A SMALL ENTITY**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Unifree, L.L.C.

Address of Concern: 1700 Montgomery Street  
Suite 111-Skybase  
San Francisco, California 94111

and that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-181 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of the Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

**II. OWNERSHIP OF INVENTION BY DECLARANT**

I hereby declare that rights under contract or law remain with and/or have been conveyed to the above identified concern **EXCEPT**, that if the rights held are not exclusive, each individual,

concern or organization having rights to the invention is listed below and no rights to the invention are held (1) by any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a non-profit organization under 37 CFR 1.9(e).

☒ no such person, concern, or organization  
☐ person, concerns or organizations listed below

Full Name:

Address:

☐ Individual      ☐ Small Business Concern      ☐ Non Profit Organization

### III. ACKNOWLEDGMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE

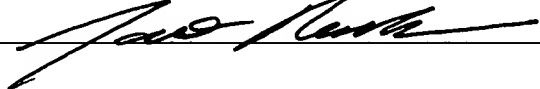
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

### IV. DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

### V. SIGNATURE

Name of Person Signing:      Scott D. Redmond  
Title of Person Signing:      Director  
Address of Person Signing:    601 Van Ness Avenue  
   San Francisco, California 94102

SIGNATURE  DATE May 1, 1999